

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS

GALVESTON DIVISION

UNITED STATES OF AMERICA	§	
	§	
VS.	§	CRIMINAL NO. H-90-424 (02)
	§	
GERMAN DUQUE	§	


**OPINION AND ORDER**

Before the Court is a Report and Recommendation from the United States Magistrate Judge dated October 17, 2006, which recommends that the “ Motion to Reduce Sentence Pursuant to 18 U.S.C. § 3582(c)(2) Relying on Retroactive Amendments 591 and 599” of Defendant, German Duque, be denied; Duque was given until November 3, 2006, to file written objections but none have been filed.

Upon *de novo* review, pursuant to 28 U.S.C. § 636(b)(1)(C), this Court finds that the Report and Recommendation (Instrument no. 474) of the Magistrate Judge is a well reasoned and correction application of the relevant amendments to the United States Sentencing Guidelines to the facts in this case and it is, therefore, **ACCEPTED** by this Court in its entirety and incorporated by reference herein.

Accordingly, it is the **ORDER** of this Court that the “ Motion to Reduce Sentence Pursuant to 18 U.S.C. § 3582(c)(2) Relying on Retroactive Amendments 591 and 599” (Instrument no. 472) of Defendant German Duque is **DENIED**.

**DONE** at Galveston, Texas, this 5<sup>th</sup> day of December, 2006.

  
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Samuel B. Kent  
United States District Judge